

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(03-764-B (400.216US))

In re the Application of: McSwiggen, et al.)	
)	
Serial No: TBA)	Group Art Unit: TBA
)	
Filed: Herewith)	Examiner: TBA
)	
For: RNA Interference Mediated Inhibition)	
of XIAP Gene Expression Using Short)	
Interfering Nucleic Acid (siNA))	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. § 1.821(f)

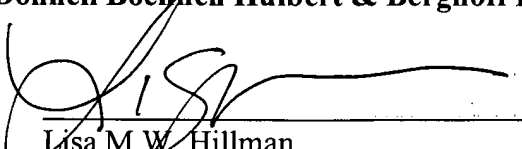
Sir/Madam:

The undersigned declares that the content of the Sequence Listing, submitted in the above-identified application in compliance with 37 C.F.R. § 1.52(e) on Compact Disc-Recordable (CD-R) medium in duplicate (COPY 1 and COPY 2) in lieu of the paper copy under 37 C.F.R. § 1.821(c) and the computer readable form copy of the Sequence Listing, submitted in the above-identified application in accordance with 37 C.F.R. 1.821(e), are identical in content. The sequence listing, submitted herewith, does not extend beyond the scope of the specification, and thus, does not contain new matter.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Dated: February 7, 2006

By: 
Lisa M. W. Hillman
Reg. No. 43,673

Doc Code: CDCHECK

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ACKNOWLEDGEMENT OF RECEIPT OF FILES ON COMPACT DISC

The files indicated on the attached transmittal document were received by the USPTO, opened on a USPTO computer and were readable in accordance with 37 CFR 1.52 (e) (7).

Karen Smith (name of tester) 2-15-2006 (date)